



***United States Attorney  
Southern District of New York***

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**FOR IMMEDIATE RELEASE  
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**FEDERAL AND STATE AUTHORITIES ARREST DUTCHESS COUNTY  
MAN ON POSSESSION OF FIREARMS AND AMMUNITION CHARGES**

JAMES B. COMEY, the United States Attorney for the Southern District of New York, announced that DAVID KIENE, 30, of Stormville, Dutchess County, New York, was arrested today by agents of the Bureau of Alcohol, Tobacco & Firearms, and officers of the East Fishkill Police Department, on charges of possession of a stolen .357 revolver; and possession, by a person previously convicted of a felony, of an AR-15 .223 semi-automatic rifle, and .223 caliber ammunition.

KIENE was scheduled to be presented in White Plains federal court before United States Magistrate Judge MARK D. FOX tomorrow.

According to the Complaint, dated January 21, 2003, and unsealed in federal court today, KIENE is alleged to have possessed firearms and ammunition, as well as anti-ballistic body

armor. The Complaint alleges that KIENE possessed at his home on Sunny Lane a stolen Smith & Wesson .357 revolver, as well as a Colt AR-15 .223 semi-automatic rifle, that KIENE had purportedly converted to make a fully automatic weapon. According to the Complaint, KIENE had disclosed that the AR-15 rifle had been purchased by a third-party.

In addition, the Complaint alleges that KIENE sold .223 caliber ammunition and four Colt AR-15 magazines to a confidential informant, on or about October 25, 2002, and that KIENE had previously been observed wearing anti-ballistic body armor. The Complaint alleges that under federal law, following his prior felony conviction in Dutchess County Court for escape in the first degree, KIENE was prohibited from possessing firearms or ammunition.

If convicted, KIENE faces a maximum term of imprisonment of 10 years and a maximum fine of \$250,000, under each of the four counts contained in the Complaint.

COMEY praised the joint efforts of the Bureau of Alcohol, Tobacco & Firearms, the East Fishkill Police Department and the New York State Police.

Mr. COMEY also said the investigation is continuing.

Assistant United States Attorney STEVEN D. FELDMAN is in charge of the prosecution.

The charges contained in the Complaint are merely

accusations, and the defendant is presumed innocent unless or  
until proven guilty.

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